

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

WALTER N. KOSCH, et al., )  
v. )  
Plaintiffs, )  
FFIC/BEAM, INCORPORATED, a Philippine ) No. 08 C 750  
corporation, et al., ) The Honorable  
Defendants. ) Blanche M. Manning  
)

**MOTION OF DEFENDANT KARL NEUBACHER  
TO DISMISS FOR FAILURE TO STATE A  
CLAIM UPON WHICH RELIEF CAN BE GRANTED**

Now comes Defendant Karl Neubacher, by his undersigned attorneys, and, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves that the Complaint against him be dismissed in its entirety for failure to state a claim upon which relief can be granted.

In support of this motion, Defendant Neubacher submits the accompanying Memorandum In Support.

Dated: March 13, 2008

Respectfully submitted,

KARL NEUBACHER

By: /s/ Theodore J. Low  
One of his Attorneys

C. Barry Montgomery (ARDC #9145351)  
Theodore J. Low (ARDC #1696491)  
Williams, Montgomery & John Ltd.  
20 North Wacker Drive, Suite 2100  
Chicago, Illinois 60606  
(312) 443-3264